

23, nays 0; and was passed by the House of Representatives with amendments by the following vote: yeas 84, nays 36.]

Received in the Executive office April 1, 1913, and filed in the Department of State April 4, 1913, without the approval of the Governor.

PROPOSED AMENDMENT TO THE STATE CONSTITUTION,  
AMENDING ARTICLES XI, SECTION 7A, OF THE CONSTITUTION—PROVIDING FOR AUTHORIZING COUNTIES  
BORDERING ON THE GULF OF MEXICO  
TO BUILD SEAWALLS.

S. J. R. No. 22.]      SENATE JOINT RESOLUTION

To amend Section 7 of Article XI of the Constitution of the State of Texas, authorizing counties bordering on the Gulf of Mexico to build sea-walls by adding Section 7a, so as to authorize such counties to build sea-walls and designate seawall reclamation districts for the protection of life and property from storm overflow, and to build or condemn land for sea-wall and reclamation districts, the county to have State's title to the roads and bay shore line to low tide within the district, and the right to issue district bonds for acquiring and developing the district and building the sea-walls and when district is developed as townsite to sell such portions of the land as not not reserved for public use by the county.

*Be it resolved by the Legislature of the State of Texas:*

That the following amendment to the Constitution of the State of Texas be proposed to the voters of the State of Texas for their adoption in accordance with law, and that the Constitution of the State of Texas be amended so as to add Section 7a of Article XI, and that Section 7a of Article XI shall read as follows, to-wit:

Section 7a. Where protection against the waters of the Gulf of Mexico is needed for protection of life, health, property or the sea-wall, any county, bordering on the Gulf of Mexico may acquire title to the land for said sea-wall or sea-wall reclamation district as designated by the county commissioners court by purchase or condemnation of all the land desired for sea-wall and land for the sea-wall reclamation district from the sea-wall to bay shore tide line boundary of the property abutting on the bay, and the State hereby cedes to the county, for such district, for reclamation and general uses of the district, the title to bay shore lands in the district between the property tide line boundary and the low tide line of the bayshore, and any land in the reclamation district that may have been retained by the Republic of Texas or [or] the State for roads when the lands adjacent were platted and sold, and the county is given the right to dredge in the bay or in the gulf for fill for the district, and right to sell the land when reclaimed and laid off as townsite or otherwise, and where condemnation is used to acquire the land the proceedings to be as under the Statutes for condemnation for railroads, provided that the condemnation shall vest title in fee in the county and county may issue bonds or other evidence of district indebtedness for acquiring the property, building the sea-wall, reclamation developments and all incident thereto as expenses of sea-wall and reclamation district, with lien on land and such terms and conditions as county through its commissioners court may deem best, and the county commissioners

court shall appoint two persons who are owners of land within the district and who desire to sell for reclamation and buy back from the county when reclaimed, who with the county judge as chairman shall, continue a sea-wall reclamation district commission, whose compensation shall be fixed by the court, and this commission has power to make all rules and regulations for acquiring the land of district sea-wall building, reclaiming and platting land of district, issuing bonds or other evidence of indebtedness for same, subject, however, to all such rules, regulations and acts of the commission being authorized and approved and ratified by county commissioners court. The district must bear all expenses of sea-wall and purchase of the land and expenses of filing [filling] same and other expenses, and the same shall not in any way involve the credit of the county or be a basis for a tax by the county on general lands of the county unless authorized by a vote of two-thirds of the property taxpayers of the county voting at a special election therefor. It is further provided that any owner of land in a proposed district may subscribe and pay for district commission, when organized, as the pro-rata of his land of the expense of the wall, reclamation, platting as town lots on a basis as such area of land is to the whole land of the reclamation district and sea-wall, and at any time before the completion of the district may surrender the bonds and receive from the county a bond for title for his land in town lots, less streets and alleys deducted therefrom, for which on surrender deed may be demanded from the county after the district is walled, filled and platted into streets, alley and lots, and bonds so bought shall so provide. It is further provided that no district shall be formally designated by the county commissioners court until owners of at least one-half of the proposed area of district petition therefor, and subscribe out for bonds for repurchase from the county as herein provided. This amendment may be acted on without delay of legislation in aid thereof or legislative action may be had in furtherance thereof if desired by the county, acting through its commissioners court.

Be it further resolved by the Legislature of the State of Texas.

That the foregoing proposed amendment to the Constitution shall be submitted to the qualified voters of the State of Texas for their ratification and adoption at an election to be held throughout the State on the second Tuesday in November, A. D. 1914, and at such election those favoring the ratification and adoption of said amendment shall have written or printed on their ballots "For the amendment to Article XI, Section 7a, of the Constitution, providing for authorizing counties bordering on the Gulf of Mexico to build sea-walls; and those opposing the adoption and ratification of said amendment shall have written or printed on their ballots "Against the amendment to Article XI, Section 7a, of the Constitution, providing for authorizing counties bordering on the Gulf of Mexico to build sea-walls." Proclamation of such election shall be made by the Governor as required by the Constitution and the law and there is appropriated out of any funds not otherwise appropriated the sum of five thousand (\$5,000.00) dollars or so much thereof as may be necessary to pay the expense of advertising and holding such election.

[NOTE.—S. J. R. No. 22 passed the Senate by a two-thirds vote, yeas

24, nays 1, and Senate concurred in House amendments by a two-thirds vote, yeas 27, nays 0; and was passed by the House of Representatives with amendments by a two-thirds vote, yeas 114, nays 0.]

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